

**REMARKS**

Claims 65-78 and 97-118 are currently pending, of which claims 65, 97 and 108 are in independent form. By the present response, claims 65, 97-107 and 108 are amended and claims 89-96 are cancelled without prejudice, limitation, waiver or estoppel.

No new matter has been added.

Favorable reconsideration of the present patent application as currently constituted is respectfully requested.

**Regarding the Examiner Interview**

The Examiner is thanked for the interview of May 15, 2008, in which the proposed claim amendments, the distinctions over the applied art and the objections to the claims were discussed.

**Regarding the Objections to the Specification**

The Examiner has objected to the specification as "failing to provide proper antecedent basis for the claimed subject matter." In response, Applicant has appropriately amended the specification as required by the Examiner. Applicant respectfully submits that programs operating on a computer are well known to be stored on a computer-accessible medium. Accordingly, no new matter is believed to have been added.

**Regarding the Rejections - 35 U.S.C. §101**

Claims 97-107 are rejected in the pending Office Action under 35 U.S.C. §101 as being directed to non-statutory subject matter. In response, Applicant has amended claims 97-107 appropriately. It is therefore believed that the §101 rejections have been overcome or otherwise rendered moot.

**Regarding the Claim Rejections - 35 U.S.C. §112**

Claims 65-78 and 89-118 are rejected in the pending Office Action under 35 U.S.C. §112, First paragraph, as "failing to comply with the written description requirement."

In response, Applicant has appropriately amended pending base claims 65, 97 and 108 by way of the present response. In light of these amendments, the rejections under §112, First paragraph, are believed to be overcome.

**Regarding the Claim Rejections - 35 U.S.C. §103**

In the pending Office Action, claims 65, 67-70, 89, 97, 99, 108 and 110 stand rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 5,958,006 to Eggleston et al. (hereinafter the *Eggleston* reference) in view of Microsoft®

Exchange User's Handbook by Sue Mosher, 1997, pages 289-292 (hereinafter the *Mosher* reference).

The Examiner has also rejected dependent claims 71-73, 91-93, 100-102 and 111-113 as being unpatentable over the combination of the *Eggleston* and *Mosher* references in view of Official Notice that "word processing files, audio files, and video files were all old and well known types of email attachments at the time the invention was made, and that word processing type files could be processed (displayed) by mobile devices while video files could not, due to limitations on processing capabilities at the time."

Finally, the Examiner has rejected dependent claims 66, 74-78, 90, 94-96, 98, 103-107, 109 and 114-118 as being unpatentable over the combination of *Eggleston*, *Mosher* and Official Notice in view of U.S. Patent No. 5,964,833 to Kikinis (hereinafter the *Kikinis* reference).

With regard to the rejection of base claim 65, the Examiner has commented:

15. With regard to independent claim 65, *Eggleston* disclosed a method of redirecting e-mail messages and message attachments to a user of a mobile data communication device that is associated with a host system and communicates therewith, the user having an e-mail address associated with the host system (users have email accounts) (col. 6, ll. 59-61) the method comprising:

receiving a data item (email) for the user at the host system (server 115), the data item including an e-mail message addressed to the user and a message attachment (e.g. email message with attachment, Col 8, lines 30-37);

redirecting at least a portion of the e-mail message from the host system to the mobile data communication device via a wireless network (e.g. when the user has implemented a filter and only part of the message is sent to the user, see inter alia Col 3, lines 23-26 and Col 10, lines 10-32);

receiving a first command message from the mobile data communication device at the host system requesting more of the data item (i.e. sends the request after receiving partial or summary data for more of the message or all of the message, see inter alia Col 3, lines 29-34 or Col 10, line 57 - Col 11, line 4);

redirecting the message attachment from the host system to the mobile data communication device via the wireless network in response to first command message (i.e. when the user requests all of the message or full transfer of the message, the attachment will also be sent to the user's mobile device, again see inter alia Col 3, lines 29-34 or Col 10, line 57 - Col 11, line 4); V

receiving from the mobile data communication device a follow-up message and a follow-up addressee (user replies to a message) (col. 3, ll. 35-56); and

sending the follow-up message to the follow-up addressee (col. 3, ll. 46-47).

However, Eggleston fails to specifically disclose combining the follow-up message with the data item including the original message and the attachment into a response message and forwarding the response message to the follow-up addressee using the user's e-mail address as an originating address for the response message.

Mosher discloses a similar system for transmitting email messages to users. Mosher teaches forwarding messages, wherein the forwarded messages will contain the text of the incoming message, any attachments to the incoming message, and a follow-up note. These messages are then sent to a new addressee and contain the originating address of the user sending the response

since the message is created as a new message. (See p. 290, "Forwarding Messages"). This would have been an advantageous addition to the system disclosed by Eggleston since it would have allowed messages containing attachments to be sent to a third party by a message recipient without requiring them to regenerate the entire message.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to permit forwarding of messages in the manner taught by Mosher to allow a message recipient to share a received message with a third party without being required to regenerate the entire message.

Additionally, base claims 97 and 108 are rejected for reasons similar to those cited for claim 65.

Applicant respectfully submits that the pending rejections under §103(a) have been overcome or otherwise rendered moot by the present response. The claimed embodiments of the present disclosure are generally directed to a scheme for redirecting information between a messaging host system and a user's wireless mobile data communication device. As currently claimed, a data item, which includes a message and an attachment and which is addressed to the user's first address associated with the messaging host system, is received at the messaging host system from a sender. At least a portion of the message is redirected to a second address that is associated with the mobile data communication device over a wireless network. Responsive to a request, i.e., a first command message, the attachment is

redirected to the mobile data communication device. A reply e-mail message is received at the host system from the mobile data communication device. The reply e-mail message is sent to the sender with the first address configured as the reply e-mail message's originating address.

The *Eggleston* reference is directed to managing communications over pathways that include a wireless network, such as between a host server and a mobile computer. This reference provides a discussion of the means by which the information that is passed between the host server and mobile computer can be filtered to eliminate unnecessary transmissions. The admission made in the pending Office Action that the *Eggleston* reference is deficient with respect to the features relating to a follow-up message is equally applicable to the currently claimed features relating to reply e-mail messages. Additionally, *Eggleston* fails to disclose or suggest sending the reply e-mail message to the sender using the user's e-mail address (i.e., the first address) as an originating address for the reply e-mail message.

Applicant respectfully submits that the *Mosher* reference does not cure the deficiency of *Eggleston* with respect to these limitations. The cited excerpt from *Mosher* appears to disclose an email system that manages a mail box for a user. In *Mosher*, the

user has a single address that is used for communicating with that person, so a reply in this system has only one possible address that can be used as the originating address. *Mosher* does not disclose that the user can have a first address associated with the host server and a second address associated with the mobile device. Accordingly, *Mosher* provides no teachings or suggestions regarding the claimed embodiment wherein the reply e-mail message originates at a mobile device having the second address, but is transmitted to the original sender with the first address as the originating address.

At least based on the foregoing analysis, Applicant respectfully submits that base claims 65, 97 and 108 and dependent claims 67-70, 99 and 110 are allowable over the applied art.

Two additional references are combined with *Eggleston* and *Mosher* against the remaining dependent claims. The Official Notice does not remedy the deficiency of *Eggleston*, being directed solely to file types and their displays. *Kikinis* also does not provide any teaching with regard to the claimed embodiments of the base claims and does not remedy the deficiencies of *Eggleston*. Accordingly, claims 66, 71-78, 98, 100-107, 109 and 111-118 are also believed to be allowable over the applied art.

**Fee Statement**

Compared to the highest number previously paid for, the number of independent claims and the total number of claims have not increased. Applicant is filling herewith a Petition for a One-Month Extension of Time. Accordingly, payment via electronic filing is being authorized in the applicable amount(s). Applicant believes no further fees are due for the filing of this response. If any additional fees are due or any overpayments have been made, however, please charge or credit our deposit account (Deposit Account No. 03-1130).



**SUMMARY AND CONCLUSION**

In view of the fact that none of the art of the record, whether considered alone or in combination discloses, anticipates or suggests the present embodiments, as now defined by the independent claims, and in further view of the above amendments and/or remarks, reconsideration of the Action and allowance of the present patent application are respectfully requested and are believed to be appropriate.

Dated this 16<sup>th</sup> day of May, 2008.

Respectfully submitted,

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